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Wednesday, June 4, 2025

Via Electronic Filing

Hon. Andrew E. Krause, U.S.M.J.
The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

Re: Counterclaimant Response to Counterclaim Defendants' Letter [ECF No. 164]
Case No.: 7:23-cv-04533
Project Veritas, et al. v. James O'Keefe, et al.

Dear Judge Krause:

I write on behalf of Counterclaimants James O'Keefe and O'Keefe Media Group ("OMG") in accordance with the Court's May 29, 2025, Order [ECF No. 163] requiring Counterclaimants to respond to Project Veritas's letter [ECF No. 164] "regarding whether any of the alleged conduct discussed in the letter at ECF No. 161 violates the Protective Order."

Project Veritas admitted in its submission [ECF No. 164] that none of the conduct discussed in Project Veritas's letter at ECF No. 161 violates the Protective Order.

Project Veritas then went on at some length about imagined or hypothetical violations that may exist in some undiscovered location on the Internet. But imagined violations are not violations.

Project Veritas has leveled baseless accusations of witness intimidation and harassment, but hides behind a nominal subscription fee (\$9/month) as the reason it cannot discover any violations or view the full video available on OMG's website. That lack of diligence is telling.

Counterclaimants have scrupulously abided by the Protective Order.

Project Veritas concluded its submission by foreshadowing its request “that portions of the status conference discussing such confidential information be sealed from the public.” Counterclaimants are left to guess what such confidential information might be, with Project Veritas seeking to conduct the hearing by ambush. Counterclaimants opposed the Protective Order and oppose further efforts by Project Veritas to shield its conduct from the public. Project Veritas was the aggressor in this case, but now plays the role of victim.

Regards,

A handwritten signature in black ink, appearing to read "Nick Whitney". The signature is stylized with a large, sweeping "N" and a long, horizontal stroke extending to the right.

Nick Whitney, Esq.

cc: all counsel of record via CM/ECF